

**Enrolled Minutes of the Sixty-Seventh Regular or Special Meeting
Of the Twenty-Sixth Highland Town Council
Regular Meeting Monday, October 18, 2010**

Study Session. The Twenty-Sixth Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, October 18, 2010 at 6:30 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Bernie Zemen, Dan Vassar, Konnie Kuiper, Brian Novak, and Mark Herak were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council discussed the agenda of the imminent meeting.
2. The Town Council discussed the requests for exclusive representation as posed by the several insurance vendors.

The study session ended at 6:55 O'clock p.m.

Regular Meeting. The Twenty Sixth Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, October 18, 2010 at 7:00 O'clock p.m. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Council President Mark A. Herak presided and the Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings.

The session was opened with Councilor Bernie Zemen leading the pledge of allegiance to the United States Flag and offering a prayer.

Roll Call: Councilors Bernie Zemen, Mark A. Herak, Dan Vassar, Konnie Kuiper and Brian Novak were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Additional Officials Present: Rhett L. Tauber, Town Attorney; John M. Bach, Public Works Director; Peter T. Hojnicky, Metropolitan Police Chief; Kenneth J. Mika, Building Commissioner; Alex M. Brown, CPRP, Parks and Recreation Superintendent; and Cecile Petro, Redevelopment Director were also present.

Also present: Lisa Gauthier of the Community Events Commission was present.

Robin Carlascio of the Idea Factory and Editor of the monthly municipal newsletter was also present.

Minutes of the Previous Session

The minutes of the regular (rescheduled) meeting of 04 October 2010 were approved by general consent.

Special Orders:

1. Pre-Adoption Hearing of the Proposed Fiscal Year 2011 Budget for the Town of Highland.

- (a) **Verification of Proofs of Publication:** (TIMES: 9-01 & 9-09; POST-TRIB: 9-01-9-08) (This was done on October 4, 2010) The Town Attorney again indicated that the proofs of publication were in compliance with IC 5-3-1.
- (b) **Introduced Ordinance No. 1478:** An Ordinance of Appropriations and Budget Levies and Rates for the 2011 Budget. Councilor Zemen noted that he had introduced and filed Ordinance No. 1478 at the Town Council meeting of October 4. There was no further action then or in the current meeting.
- (c) **Public Hearing.** The Town Council President called the hearing on the proposed budget to order. There were no comments written or spoken. The hearing was closed.

Pursuant to IC 6-1.1-17 et seq., consideration of the proposed ordinance for adoption cannot take place sooner than ten (10) days following the pre-adoption hearing. It was noted that consideration for passage and adoption of the Proposed Ordinance will be at a **special** meeting of the **Town Council, Friday, October 29, 2010 at 7:00 p.m.**

Corporation General Fund: (departmentalized)	<i>Proposed</i>	FY 2011 <i>Adopted</i>
<i>Office of the Town Council</i>		
Personnel Services \$	78,826	\$ -
Supplies \$	700	\$ -
Other Services & Charges \$	199,325	\$ -
Capital Outlays \$	-	\$ -
Department Total: \$	278,851	\$ -
<i>Advisory Board of Zoning Appeals</i>		
Personnel Services \$	3,359	\$ -
Supplies \$	200	\$ -
Other Services & Charges \$	7,976	\$ -
Capital Outlays \$	-	\$ -
Department Total: \$	11,535	\$ -
<i>Volunteers in Policing</i>		
Personnel Services \$	2,720	\$ -
Supplies \$	16,100	\$ -
Other Services & Charges \$	2,639	\$ -
Capital Outlays \$	-	\$ -
Department Total: \$	21,459	\$ -

Office of the Clerk-Treasurer

Personnel Services	\$	104,774	\$	-
Supplies	\$	3,400	\$	-
Other Services & Charges	\$	55,503	\$	-
Capital Outlays	\$	-	\$	-
Department Total:	\$	163,677	\$	-

Building Inspection Department

Personnel Services	\$	218,732	\$	-
Supplies	\$	6,750	\$	-
Other Services & Charges	\$	57,178	\$	-
Capital Outlays	\$	-	\$	-
Department Total:	\$	282,660	\$	-

Fire Department

Personnel Services	\$	207,557	\$	-
Supplies	\$	31,670	\$	-
Other Services & Charges	\$	85,929	\$	-
Capital Outlays	\$	14,500	\$	-
Department Total:	\$	339,656	\$	-

Plan Commission Dept.

Personnel Services	\$	2,842	\$	-
Supplies	\$	325	\$	-
Other Services & Charges	\$	21,746	\$	-
Capital Outlays	\$	-	\$	-
Department Total:	\$	24,913	\$	-

Metropolitan Police Department

Personnel Services	\$	3,296,697	\$	-
Supplies	\$	93,596	\$	-
Other Services & Charges	\$	704,542	\$	-
Capital Outlays	\$	-	\$	-
Department Total:	\$	4,094,835	\$	-

Sanitation & Streets Department

Personnel Services	\$	292,552	\$	-
Supplies	\$	26,450	\$	-
Other Services & Charges	\$	1,496,636	\$	-
Capital Outlays	\$	-	\$	-
Department Total:	\$	1,815,638	\$	-

Services & Works Board Dept.

Personnel Services	\$	-	\$	-
Supplies	\$	-	\$	-
Other Services & Charges	\$	729,664	\$	-
Capital Outlays	\$	-	\$	-
Department Total:	\$	729,664	\$	-

Town Hall and Monuments Dept.

Personnel Services	\$	-	\$	-
Supplies	\$	3,800	\$	-
Other Services & Charges	\$	49,775	\$	-
Capital Outlays	\$	-	\$	-
Department Total:	\$	53,575	\$	-

Fund Total:	\$	7,816,463	\$	-
Proposed (est.) Rate for the Fund	\$	0.8796	per \$100 dollars of av	
Adopted (Est.) Rate for the Fund	\$	-	per \$100 dollars of av	

Redevelopment General Fund:

		<i>Proposed</i>	<i>Adopted</i>
Personnel Services	\$	68,589	\$ -
Supplies	\$	2,000	\$ -
Other Services & Charges	\$	73,608	\$ -
Capital Outlays	\$	-	\$ -
Fund Total:	\$	144,197	\$ -
Proposed (est.) Rate for the Fund	\$	0.0185	per \$100 dollars of av
Adopted (Est.) Rate for the Fund	\$	-	per \$100 dollars of av

Rate for both the Redevelopment General and the Redevelopment Capital is capped at .0333, pursuant to IC 36-7-14-28.

Redevelopment Capital Fund:

	<i>Proposed</i>	<i>Adopted</i>
Personnel Services \$	-	\$ -
Supplies \$	-	\$ -
Other Services & Charges \$	46,100	\$ -
Capital Outlays \$	354,000	\$ -
Fund Total: \$	400,100	\$ -
Proposed (est.) Rate for the Fund \$	-	per \$100 dollars of av
Adopted (Est.) Rate for the Fund \$	-	per \$100 dollars of av
Rate for both the Redevelopment General and the Redevelopment Capital is capped at .0333, pursuant to IC 36-7-14-28.		
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Parks and Recreation Fund:

	<i>Proposed</i>	<i>Adopted</i>
Personnel Services \$	884,250	\$ -
Supplies \$	105,410	\$ -
Other Services & Charges \$	831,597	\$ -
Capital Outlays \$	-	\$ -
Fund Total: \$	1,821,257	\$ -
Proposed (est.) Rate for the Fund \$	0.1999	per \$100 dollars of av
Adopted (Est.) Rate for the Fund \$	-	per \$100 dollars of av

Police Pension 1925 Fund:

	<i>Proposed</i>	<i>Adopted</i>
Personnel Services \$	748,170	\$ -
Supplies \$	400	\$ -
Other Services & Charges \$	1,105	\$ -
Capital Outlays \$	-	\$ -
Fund Total: \$	749,675	\$ -
Proposed (est.) Rate for the Fund \$	0.0305	per \$100 dollars of av
Adopted (Est.) Rate for the Fund \$	-	per \$100 dollars of av

Parks Dist Bond & Lease Exempt Fund

	<i>Proposed</i>	<i>Adopted</i>
Personnel Services \$	-	\$ -
Supplies \$	-	\$ -
Other Services & Charges \$	533,664	\$ -
Capital Outlays \$	-	\$ -
Fund Total: \$	533,664	\$ -
Proposed (est.) Rate for the Fund \$	0.0899	per \$100 dollars of av
Adopted (Est.) Rate for the Fund \$	-	per \$100 dollars of av

Corporation Bond Fund

	<i>Proposed</i>	<i>Adopted</i>
Personnel Services \$	-	\$ -
Supplies \$	-	\$ -
Other Services & Charges \$	535,938	\$ -
Capital Outlays \$	-	\$ -
Fund Total: \$	535,938	\$ -
Proposed (est.) Rate for the Fund \$	0.1039	per \$100 dollars of av
Adopted (Est.) Rate for the Fund \$	-	per \$100 dollars of av

Corporation Bond Exempt Fund

	<i>Proposed</i>	<i>Adopted</i>
Personnel Services	\$ -	\$ -
Supplies	\$ -	\$ -
Other Services & Charges	\$ 130,737	\$ -
Capital Outlays	\$ -	\$ -
Fund Total:	\$ 130,737	\$ -
Proposed (est.) Rate for the Fund	\$ 0.0113	per \$100 dollars of av
Adopted (Est.) Rate for the Fund	\$ -	per \$100 dollars of av

Motor Vehicle Highway Fund

	<i>Proposed</i>	<i>Adopted</i>
Personnel Services	\$ 398,864	\$ -
Supplies	\$ 202,470	\$ -
Other Services & Charges	\$ 64,086	\$ -
Capital Outlays	\$ -	\$ -
Fund Total:	\$ 665,420	\$ -
Proposed (est.) Rate for the Fund	\$ -	per \$100 dollars of av
Adopted (Est.) Rate for the Fund	\$ -	per \$100 dollars of av

Local Roads & Streets Fund

	<i>Proposed</i>	<i>Adopted</i>
Personnel Services	\$ 69,892	\$ -
Supplies	\$ -	\$ -
Other Services & Charges	\$ 225,000	\$ -
Capital Outlays	\$ -	\$ -
Fund Total:	\$ 294,892	\$ -
Proposed (est.) Rate for the Fund	\$ -	per \$100 dollars of av
Adopted (Est.) Rate for the Fund	\$ -	per \$100 dollars of av

Municipal Cum Cap Dev Fund

	<i>Proposed</i>	<i>Adopted</i>
Personnel Services	\$ -	\$ -
Supplies	\$ 7,000	\$ -
Other Services & Charges	\$ 269,825	\$ -
Capital Outlays	\$ 155,400	\$ -
Fund Total:	\$ 432,225	\$ -
Proposed (est.) Rate for the Fund	\$ 0.0591	per \$100 dollars of av
Adopted (Est.) Rate for the Fund	\$ -	per \$100 dollars of av
The rate is fixed or capped by I.C. 36-9-15.5 et seq.		

Cumulative Cap Imp. Fund

	<i>Proposed</i>	<i>Adopted</i>
Personnel Services	\$ -	\$ -
Supplies	\$ -	\$ -
Other Services & Charges	\$ 73,228	\$ -
Capital Outlays	\$ -	\$ -
Fund Total:	\$ 73,228	\$ -
Proposed (est.) Rate for the Fund	\$ -	per \$100 dollars of av
Adopted (Est.) Rate for the Fund	\$ -	per \$100 dollars of av

Law Enf. Ed., Trng., & Supply Fund

	<i>Proposed</i>	<i>Adopted</i>
Personnel Services \$	-	\$ -
Supplies \$	17,700	\$ -
Other Services & Charges \$	23,900	\$ -
Capital Outlays \$	-	\$ -
Fund Total: \$	41,600	\$ -
Proposed (est.) Rate for the Fund \$	-	per \$100 dollars of av
Adopted (Est.) Rate for the Fund \$	-	per \$100 dollars of av

Redevelopment Bond Exempt Fund

	<i>Proposed</i>	<i>Adopted</i>
Personnel Services		
Supplies \$	-	\$ -
Other Services & Charges \$	248,573	\$ -
Capital Outlays \$	-	\$ -
Fund Total: \$	248,573	\$ -
Proposed (est.) Rate for the Fund \$	0.0253	per \$100 dollars of av
Adopted (Est.) Rate for the Fund \$	-	per \$100 dollars of av

Information & Comm Tech

	<i>Proposed</i>	<i>Adopted</i>
Personnel Services \$	17,229	\$ -
Supplies \$	250	\$ -
Other Services & Charges \$	160,501	\$ -
Capital Outlays \$	-	\$ -
Fund Total: \$	177,980	\$ -
Proposed (est.) Rate for the Fund \$	-	per \$100 dollars of av
Adopted (Est.) Rate for the Fund \$	-	per \$100 dollars of av

VIPS/PARKS Public Safety Fund

	<i>Proposed</i>	<i>Adopted</i>
Personnel Services \$	600	\$ -
Supplies \$	5,400	\$ -
Other Services & Charges \$	-	\$ -
Capital Outlays \$	-	\$ -
Fund Total: \$	6,000	\$ -
Proposed (est.) Rate for the Fund \$	-	per \$100 dollars of av
Adopted (Est.) Rate for the Fund \$	-	per \$100 dollars of av

Solid Waste District Grant Fund

	<i>Proposed</i>	<i>Adopted</i>
Personnel Services		
Supplies \$	20,000	\$ -
Other Services & Charges \$	121,800	\$ -
Capital Outlays \$	-	\$ -
Fund Total: \$	141,800	\$ -
Proposed (est.) Rate for the Fund \$	-	per \$100 dollars of av
Adopted (Est.) Rate for the Fund \$	-	per \$100 dollars of av

Parks Dist Bond & Lease Fund (Regular)

	<i>Proposed</i>	<i>Adopted</i>
Personnel Services \$	-	\$ -
Supplies \$	-	\$ -
Other Services & Charges \$	1,020,000	\$ -
Capital Outlays \$	-	\$ -
Fund Total: \$	1,020,000	\$ -
Proposed (est.) Rate for the Fund \$	0.2695	per \$100 dollars of av
Adopted (Est.) Rate for the Fund \$	-	per \$100 dollars of av

Special Events Non Reverting

	<i>Proposed</i>	<i>Adopted</i>
Personnel Services \$	7,102	\$ -
Supplies \$	1,000	\$ -
Other Services & Charges \$	58,785	\$ -
Capital Outlays \$	-	\$ -
Fund Total: \$	66,887	\$ -
Proposed (est.) Rate for the Fund \$	-	per \$100 dollars of av
Adopted (Est.) Rate for the Fund \$	-	per \$100 dollars of av

Total of All Funds: \$ 15,300,636 \$ -

2. Review of Budget of the Sanitary District, pursuant to IC 6-1.1-17-20. *The Budget is not increased over the prior year. However, under amendments to IC 6-1.1-17-20, the Sanitary District body shall submit its proposed budget and property tax levy to the town fiscal body. The proposed budget and levy shall be submitted at least fourteen (14) days before the town fiscal body is required to hold budget approval hearings under this chapter. The fiscal body of the city, town, or county (whichever applies) shall review each budget and proposed tax levy and adopt a final budget and tax levy for the taxing unit. The fiscal body may reduce or modify but not increase the proposed budget or tax levy. The Board of Sanitary Commissioners adopted the budget on October 5, 2010. The final adoption vests with the Town Council. The Town Council should take its final action at its special meeting of October 29, 2010.*

- (a) Introduced **Enactment No. 2010-43**: Fiscal Body Reviewing and Acting upon The Budget of the Sanitary District of the Town of Highland, Lake County, INDIANA. It was noted that Councilor Vassar had introduced and filed Enactment No. 2010-43 at the Town Council meeting of October 4, 2010. There was no further action then or in the current meeting.

Sanitary District Special Operating Fund

	<i>Adopted</i>	<i>Final Approval</i>
Personnel Services \$	115,729	\$ -
Supplies \$	2,450	\$ -
Other Services & Charges \$	91,420	\$ -
Capital Outlays \$	18,000	\$ -
Fund Total: \$	227,599	\$ -
Adopted (est.) Rate for the Fund \$	0.0267	per \$100 dollars of av
Final (Est.) Rate for the Fund \$	-	per \$100 dollars of av

Sanitary District Bond and Interest Fund

	<i>Adopted</i>	<i>Final Approval</i>
Personnel Services \$	-	\$ -
Supplies \$	-	\$ -
Other Services & Charges \$	934,068	\$ -
Capital Outlays \$	-	\$ -
Fund Total: \$	934,068	\$ -
Adopted (est.) Rate for the Fund	\$ 0.1391	per \$100 dollars of av
Final (Est.) Rate for the Fund	\$ -	per \$100 dollars of av

Sanitary District Bond and Interest Exempt Fund

	<i>Adopted</i>	<i>Final Approval</i>
Personnel Services \$	-	\$ -
Supplies \$	-	\$ -
Other Services & Charges \$	528,841	\$ -
Capital Outlays \$	-	\$ -
Fund Total: \$	528,841	\$ -
Adopted (est.) Rate for the Fund	\$ 0.1108	per \$100 dollars of av
Final (Est.) Rate for the Fund	\$ -	per \$100 dollars of av

Total of All San Dist Funds: \$	1,690,508	\$ -
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3. **Executive Proclamation:** A Proclamation of the Municipal Executive Declaring the month of October Community Planning Month. The Clerk-Treasurer read the enrolled proclamation aloud. The Town Council President adopted the proclamation with his signature.

**TOWN OF HIGHLAND
PROCLAMATION OF the TOWN EXECUTIVE**

A PROCLAMATION IN RECOGNITION of COMMUNITY PLANNING MONTH

Whereas, Change is constant and affects all cities, towns, suburbs, counties boroughs, townships, rural areas, and other places; and

Whereas, Community Planning and plans can help manage this change in a way that provides better choices for how people work and live; and

Whereas, Community Planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and

Whereas, The full benefits of planning requires public officials and citizens who understand, support and demand excellence in planning and plan implementation;

Whereas, The month of October is designated as National Community Planning Month throughout the United States of America and its territories; and

Whereas, The American Planning Association and its professional institute, the American Institute of Certified Planners, endorse National Community Planning Month as an opportunity to highlight the contributions sound planning and plan implementation make to the quality of our settlements and environment; and

Whereas, The celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of planning commissions and other citizen planners who have contributed their time expertise to the improvement of the Town of Highland; and

Whereas, We recognize the many valuable contributions made by professional community and regional planners of the Town of Highland and extend our heartfelt thanks for the continued commitment to public service by these professionals,

Now, Therefore, I, Mark A. Herak by virtue of the authority vested in me as President of the Town Council of the Town of Highland, Lake County, Indiana, now hereby proclaim October, 2010, as Community Planning Month *in* the Town of Highland, in conjunction with the celebration of National Community Planning Month;

In Witness Whereof, I have hereunto set my hand and caused the Corporate Seal to be affixed at the Highland Municipal Building this 18th day of October in the year of our Lord, two thousand ten, the period of Highland's incorporation, the one hundredth and the Independence of the United States of America, the two hundred thirty-fourth.

**TOWN of HIGHLAND, INDIANA
BY ITS TOWN COUNCIL PRESIDENT**

/s/ Mark A. Herak

Attest:

/s/ Michael W. Griffin, Clerk-Treasurer

4. **Conflict Disclosure Filing Approval.** A Uniform Conflict of Interest Disclosure Statement, filed by Christine A. Cash, an executive appointee, who serves on the Lake County Convention and Visitors Bureau. *The Town Council President, as the appointing authority, indicated his approval of the conflict disclosure as filed and signed the statements.*

Staff Reports: The Council received the following reports as information for the record:

• **Building & Inspection Report for September 2010 RESUME**

Permit Type	Number.	Residential	Commercial	Est. Cost	Fees
Commercial	0	0	0	\$0.00	\$0.00
Buildings:					
Commercial	2	0	2	\$422,000.00	\$5,057.00
Additions or					
Remodeling:					
Signs:	4	0	4	\$10,900.00	\$1,106.00
Single Family:	0	0	0	\$0.00	\$0.00
Duplex/Condo:	0	0	0	\$0.00	\$0.00
Residential	2	2	0	\$192,000.00	\$2,344.00
Additions:					
Residential	96	96	0	\$652,306.00	\$11,649.00
Remodeling:					
Garages:	3	3	0	\$33,560.00	\$960.00
Sheds:	2	2	0	\$1,200.00	\$303.50
Decks & Porches:	6	6	0	\$23,293.00	\$1,046.00
Fences	7	7	0	\$18,488.0	\$665.00
Swimming pools:	3	3	0		\$219.00
Drain Tile	3	3	0	\$21,172.00	\$428.00
/Waterproofing					
Misc. (raze a garage):	5	5	0	\$23,370.00	\$450.00
Total:	134	128	6	\$1,462,217.00	\$25,407.00
Electrical Permits	21	17	4	0	\$2,049.00
Mechanical Permits	12	11	1		\$973.00
Plumbing Permits	10	9	1		\$1,169.25
Water Meters	1	1	0		\$200.00
Water Taps	1	1	0		\$200.00
Sewer/Storm Taps	3	3	0		\$1,100.00
Total:	15	14	1		\$2,669.00

September Code Enforcement: 362 warnings issued and 6 citations were issued.

There were 59 building inspections, 12 plumbing inspections, and 41 electrical inspections. There was one (1) electrical exam given.

• **Fire Department Report for September 2010**

	Month	Y.T.D.
General Alarms	16	113
Car Fires	1	9
Still Alarms	6	46
Ambulance calls	0	0

• **Workplace Safety Report for September 2010**

There was one incident in September. The following incident summary was filed:

Department	Injuries this Month	Year to Date 2010	Total in 2009	Restricted Days 2010	Lost Workdays This Year	Restricted Days Last Year (2009)	Lost Workdays Last Year (2009)
Parks	0	2	2	25	3	0	0
Fire	0	1	0	0	0	0	0
Police	1	8	9	39	23	0	0
Street	0	0	4	0	0	0	0
Water & Sewer	0	1	4	30	0	18	82
Maint.	0	1	0	68	0	0	0
Other	0	1	0	0	0	0	0
TOTALS	1	14	19	162	26	18	82

Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

Appointments:

• **Statutory Boards and Commissions**

Executive Appointments made by Town Council President

Legislative or Fiscal Body Appointments made by Town Council

1. Legislative Appointment to the **Park and Recreation Board**. (Unexpired term of Edward Dabrowski) Councilor Vassar moved to appoint **Jim Stange** (R), 9413 Wildwood Drive, Highland to the unexpired term of Ed Dabrowski. Councilor Novak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. Mr. Stange was appointed.

Mr. Stange was present and was introduced to the Town Council and the people present.

Unfinished Business and General Orders:

1. Action on proposal for renewal of Group Employee Life and AD&D Insurance as presented by Brown Insurance Group. Remaining with Harleysville until December 31. Monthly cost \$1,105.44. Renew with Sun life as underwriter January 1, 2011 at \$926 month.

Councilor Zemen moved to approve the proposal as presented in which the Town remains with Harleysville until the end of the current year and renew with Sun Life in January 2011. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The life AD& D plans were renewed and approved.

2. Action on proposal for renewal of Underground Tank Insurance as presented by Brown Insurance Group. Action to extend to current policy to January 1, and then renewing January 1 for coincidence with other policies. Colony Insurance is underwriter. \$300 for extension and \$1,941 annual for renewal in January.

Councilor Zemen moved to approved the proposal as indicated. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The Underground Tank Insurance and Colony Insurance plans as proposed were approved.

3. Action on the requests for letters of exclusive insurance agent status:
 - (a) Thomas Kelly of HUB Group seeks exclusive for Apex and Philadelphia Insurance Companies
 - (b) Thomas Horgash seeks exclusive for Apex, Burns and Wilcox, Jimcor Agencies, Professional Underwriters, Trident and Euclid Manager/Scottsdale.

Councilor Vassar moved to authorize Thomas Kelly and the HUB Group to be represented by letter as the exclusive broker agent of the Town to Apex and Philadelphia companies and to authorize Thomas Horgash of the Horgash Agency to be represented by letter as the exclusive broker agent of the Town to Burns and Wilcox, Jimcor Agencies, Professional Underwriters, Trident and Euclid Manager/Scottsdale. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed.

4. **Enactment No. 2010-44:** An Enactment Authorizing and Approving a wellness initiative for the municipal workforce supporting flu vaccinations for full-time workers, firefighters, to be paid at the expense of the municipality as employer, pursuant to I.C. 5-10 et seq; and IC 36-1-3.

Councilor Novak introduced and moved that the Enactment No. 2010-44 be considered at the same meeting of its introduction. Councilor Kuiper seconded. Upon a roll call vote, a unanimous vote of those present necessary, there were five affirmatives and no negatives. The motion passed. The enactment could be considered.

Councilor Novak moved that the Enactment No. 2010-44 be passed and adopted at the same meeting of its introduction. Councilor Kuiper seconded. Upon a roll call vote, a two-thirds vote of the whole Council being necessary, there were five affirmatives and no negatives. The motion passed. The enactment was adopted.

**Town of Highland
Enactment (ordinance)
Enactment No. 2010-44**

AN ENACTMENT AUTHORIZING AND APPROVING A WELLNESS INITIATIVE FOR THE MUNICIPAL WORKFORCE SUPPORTING FLU VACCINATIONS FOR FULL-TIME WORKERS, FIREFIGHTERS, TO BE PAID AT THE EXPENSE OF THE MUNICIPALITY AS EMPLOYER, PURSUANT TO I.C. 5-10 ET SEQ; AND IC 36-1-3.

WHEREAS, Title 36, Article 1 Chapter 4 of the Indiana Code confers certain general corporate powers on the several units of government in Indiana;

WHEREAS, Title 5, Article 10, Chapters 2.2 and 2.6 enables a public employer to provide programs of group health insurance by purchasing policies of group insurance or establishing self-insurance programs.

WHEREAS, Title 36, Article 1, Chapters 3 provides that a unit of local government unit has all powers granted it by statute and all other powers *necessary or desirable* in the conduct of its affairs, even though not granted by statute;

WHEREAS, Title 36, Article 1, Chapters 3 further provides that a unit of local government desiring to exercise powers under IC 36-1-3, must adopt an ordinance prescribing a specific manner for exercising the power;

WHEREAS, The Town Council of the Town of Highland, has been advised of the desirability of establishing a wellness initiative in which flu shot vaccinations are made available to full-time members of the municipal workforce, fire fighters of the Highland Fire Department, as well as their spouses; and,

WHEREAS, The Town Council of the Town of Highland, has determined that establishing a wellness initiative in which flu shot vaccinations are made available to full-time members of the municipal workforce, fire fighters of the Highland Fire Department, as well as their spouses to be a desirable action that will promote worker wellness and well being and reduce absenteeism due to flu related illness,

NOW, THEREFORE BE IT ENACTED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That a wellness initiative authorizing flu shot vaccinations to be paid from public funds as a employer provided benefit is hereby approved and authorized for the following identified groups:

- (A) Full-time members of the municipal workforce and the Clerk-Treasurer;
- (B) Member firefighters of the Highland Fire Department;
- (C) Spouses of full-time members of the municipal workforce, the Clerk-Treasurer and member firefighters of the Highland Fire Department;

Section 2. That this authorization is effective from October 18, 2010, continuing until its expiration on December 31, 2010 and shall be construed as an elective group benefit and not an entitlement;

Section 3. That this benefit is subject to sufficiency of appropriations available for expenditure in the Office of the Town Council, Corporation General Fund, pursuant to I.C. 6-1.1-18 and shall not exceed the amount of **\$2,500.00**;

Section 4. That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 *et seq.*

Introduced and Filed on the 18th Day of October 2010. Consideration on the same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 18th Day of October 2010, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Mark A. Herak, President (IC 36-5-2-10)

ATTEST:

**Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)**

5. **Enactment No. 2010-45:** An Enactment Appropriating Additional Monies in Excess of the Annual Budget From Monies Received as a Grant from the State or Federal Government, pursuant to I.C. 6-1.1-18-7.5, I.C. 36-5-3-5 *et seq.*

Councilor Vassar introduced and moved that the Enactment No. 2010-45 be considered at the same meeting of its introduction. Councilor Novak seconded. Upon a roll call vote, a unanimous vote of those present necessary, there were five affirmatives and no negatives. The motion passed. The enactment could be considered.

Councilor Vassar moved that the Enactment No. 2010-44 be passed and adopted at the same meeting of its introduction. Councilor Novak seconded. Upon a roll call vote, a two-thirds

vote of the whole Council being necessary, there were five affirmatives and no negatives. The motion passed. The enactment was adopted.

6. **Works Board Order No. 2010-45:** An Order Authorizing and Approving an Addendum to the Agreement between Garcia Consulting Engineers and the Town of Highland to perform Preliminary Engineering Design Services associated with Idlewild Avenue Reconstruction Project. Councilor Zemen moved the passage and adoption of the Works Board Order No. 2010-45. Councilor Kuiper seconded. Upon a roll call, there were five affirmatives and no negatives. The motion passed.

THE TOWN OF HIGHLAND
ORDER OF THE WORKS BOARD NO. 2010-45

An Order Authorizing and Approving an Addendum to the Agreement between Garcia Consulting Engineers and the Town of Highland to perform Preliminary Engineering Design Services associated with Idlewild Avenue Reconstruction Project

Whereas, The Town of Highland, through its Town Council, which is the Works Board of the Municipality pursuant to I.C. 36-1-2-24(3), has received a request from the residents in the 8700-8800 blocks of Idlewild Avenue a requesting consideration to reconstruct the 8700-8800 blocks of Idlewild Avenue; and

Whereas, The Town Council, through the Department of Public Works, had conducted a survey of the residents in the 8700-8800 blocks of Idlewild Avenue in order to determine interest of implementing a reconstruction project, comparable to other reconstruction projects implemented in the Brantwood neighborhood over the past ten years; and

Whereas, Pursuant to the results of the survey, the Board has heretofore determined that the reconstruction of the 8700-8800 blocks of Idlewild Drive is generally consistent with desires of the affected property owners and now determines to implement a project to be named the Idlewild Avenue Improvement Project; and

Whereas, On January 25th 2010, the Town of Highland through its Board of Works and Garcia Consulting Engineers entered into an agreement for **Professional Design Engineering Services** on the Project for a not to exceed fee in amount of Twenty-nine Thousand One Hundred; and

Whereas, During the course of final design, the scope of the services described in the original agreement has changed, which caused for additional engineering expenses to be incurred; and

Whereas, Garcia Consulting Engineers has presented a request, attached hereto and made a part of this Order, that quantifies the additional expenses incurred in the amount of *Five Thousand Eight Hundred Thirty Dollars and no/100 Cents (\$5,830.00)* and provides further explanation on the nature of the extra work required during the final design of the Project; and

Whereas, There are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Town of Highland, through its Town Council now desires to accept and approve the addendum to agreement for services as herein described.

Now Therefore Be it Resolved by the Town Council of the Town of Highland, Lake County, Indiana;

Section 1 That the Addendum to the Agreement for **Professional Design Engineering Services** (incorporated by reference and made a part of this resolution) for the **Idlewild Avenue Reconstruction Project** between Garcia Consulting and the Town of Highland, is hereby approved, adopted and ratified in each and every respect;

Section 2. That the terms and charges under the addendum to the agreement for professional design engineering services in the not to exceed amount of *Five Thousand Eight Hundred Thirty Dollars and no/100 Cents (\$5,830.00)* is found to be reasonable and fair;

Section 3. That the Town of Highland, through its Board of Works, believes that Garcia Consulting has demonstrated professional competence and qualifications to perform the particular professional engineering services called for in the Addendum to the Agreement and associated project, pursuant to I.C. 5-16-11.1-5;

Section 4. That the Public Works Director be authorized to execute the Addendum Agreement with his signature.

Be it So Ordered.

DULY, PASSED AND ADOPTED by the Town Council of the Town of Highland, Lake County, Indiana this 18th day of October, 2010 having passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

Mark Herak, President

Attest:

Michael Griffin, Clerk-Treasurer

7. **Works Board Order No. 2010-46:** An Order Authorizing and Approving a Sixth change order to the construction Contract SR-31459 related to the Cline Avenue Reconstruction Project, Northern Terminus at Ridge Road and southern Terminus at 45th Avenue, a Federal Aid Highway Project, all pursuant to IC 36-1-12-18.

Councilor Kuiper moved the passage and adoption of Works Board Order No. 2010-46. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

THE TOWN of HIGHLAND
ORDER of the WORKS BOARD NO. 2010-46

AN ORDER AUTHORIZING and APPROVING A SIXTH CHANGE ORDER to the CONSTRUCTION CONTRACT SR-31459 RELATED to the CLINE AVENUE RECONSTRUCTION PROJECT, NORTHERN TERMINUS AT RIDGE ROAD AND SOUTHERN TERMINUS AT 45TH AVENUE, A FEDERAL AID HIGHWAY PROJECT, ALL PURSUANT TO IC 36-1-12-18

Whereas, The Town of Highland, through its Town Council, which is the Works Board of the Municipality pursuant to I.C. 36-1-2-24(3), has heretofore authorized and approved a public works project for street construction and other improvements in the public roadway through the assistance of federal highway aid funds, with the project commonly known as the **Cline Avenue Reconstruction Project**;

Whereas, In the course of the construction, reconstruction, or repair of the Cline Avenue Reconstruction Project, it has become necessary to change or alter the original specifications of the project;

Whereas, First Group Engineering (FGE), Incorporated, a licensed engineer performing construction engineering services on this project, at the request of the Town through its Public Works Director, has specifically identified and presented a description of such changes as one (1) proposed addendum to the original construction contract, to be known as the sixth addendum; and

Whereas, Addendum six adds a net increase in the amount of \$5,600 owing to the need to add one 8" line stop to the water main; and

Whereas, There are sufficient and available appropriations balances on hand to support any additional payments, if required, under the agreement, pursuant to IC 5-22;

Whereas, The Town of Highland, through its Town Council which is also the Board of Works, now desires to accept and issue the order for change as described;

Now Therefore Be it hereby Ordered by the Town Council of the Town of Highland, Lake County, Indiana;

Section 1 That the Sixth Addendum to the Construction Contract **SR-31459** for the **Cline Avenue Reconstruction Project**, as prepared by First Group Engineering, Incorporated, a licensed engineer performing construction engineering services on this project, is hereby determined to be directly related to the original project and is hereby approved, adopted and ratified in each and every respect;

Section 2 That this Sixth Addendum is hereby ordered to be known as **Change Order No. 6**, issued to add net increase to the original agreement in the net increased amount of five thousand, six thousand dollars and 00/100 cents (\$5,600.00), bringing the total value of the entire agreement with any and all change orders approved to date to four million, one hundred eighty-one thousand, six hundred five dollars and ninety-one cents (\$4,181,605.91) of which twenty percent (20%) is borne locally and eighty-percent (80%) is borne by the Indiana Department of Transportation);

Section 3. That as any additional units of materials included in the original contract become needed, the cost of these units in this change order be the same as those shown in the original contract, all pursuant to IC 36-1-12-18(f);

Section 4. That the total of all change orders issued that increase the scope of this project may not exceed twenty percent (20%) of the amount of the original contract, that original being four million, one hundred forty-five thousand, seven hundred seventy-nine dollars and thirty-one cents (\$4,145,779.31) which may not exceed four million, nine hundred seventy-four thousand, nine hundred thirty-five dollars and seventeen cents (\$4,974,935.17) all pursuant to IC 36-1-12-18(d);

Section 5. That the proper officers hereby be and are authorized to execute the necessary documents with their signatures.

Be it So Ordered.

DULY, PASSED and ORDERED BY the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 18th day of October 2010 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Mark A. Herak, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

8. Action on recommendation of Redevelopment Commission to approve the settlement agreement valuing certain replacement costs associated with terms in the License to Encroach granted by the Town Council to **Rodney D. Langel d/b/a Langel Realty, LLC, owner of the property located in the Town of Highland commonly known as Langel's or Rodney's located at 2833 Highway Avenue.** *(The license to encroach required Mr. Langel to replace some portions of the streetscape assets near his restaurant and sports bar in consideration for the License to Encroach. The Redevelopment Director and Commission approached Mr. Langel to bring closure to the issue and now recommend receipt of payment as settlement in the amount of \$3,000.)*

Councilor Kuiper moved to accept the recommendation of the Redevelopment Commission and approved the settlement agreement as described and recommended by the Redevelopment Agreement. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The Settlement Agreement was approved.

9. **Proposed Ordinance No. 1479: AN ORDINANCE PROHIBITING THE SALE OF SUBSTANCES CONTAINING SYNTHETIC CANNABINOIDS OR THEIR USE IN PUBLIC FACILITIES.**

Councilor Vassar introduced and moved that the Ordinance No. 1479 be considered at the same meeting of its introduction. Councilor Zemen seconded. Upon a roll call vote, a unanimous vote of those present necessary, there were five affirmatives and no negatives. The motion passed. The enactment could be considered.

Councilor Vassar moved that the Ordinance No. 1479 be passed and adopted at the same meeting of its introduction. Councilor Novak seconded. Upon a roll call vote, a two-thirds vote of the whole Council being necessary, there were five affirmatives and no negatives. The motion passed. The enactment was adopted.

ORDINANCE NO. 1479

OF THE
TOWN OF HIGHLAND, INDIANA

AN ORDINANCE PROHIBITING THE SALE OF SUBSTANCES CONTAINING SYNTHETIC
CANNABINOIDS OR THEIR USE IN PUBLIC FACILITIES

WHEREAS, IC 36-1-3-2 confers upon all local units the powers that they need for the effective operation of government as to local affairs;

WHEREAS, IC 36-1-3-6(b)(1) prescribes that any such exercise of power shall be authorized through enactment of an ordinance passed by the legislative body; and

WHEREAS, the Town of Highland is a municipal government which may pass and codify ordinances for the operation of the government, all pursuant to IC 36-1-4 and IC 36-1-5; and

WHEREAS, the Town Council of the Town of Highland is desirous of maximizing the public health, welfare and safety of the citizens of Highland; and

WHEREAS, Indiana law provides that the Town Council of the Town of Highland may enact ordinances to promote and protect the safety, health and welfare of the citizens of Highland; and

WHEREAS, the Town Council of the Town of Highland has been made aware that substances containing synthetic cannabinoids, which includes substances containing one or more of the following chemical compounds:

1. (6aR, 10aR)-9-(hydroxymethyl)-6, 6-dimethyl-3-(2methyloctan-2-yl)-6a, 7, 10,10a-tetrahydrobenzo[chromem]-1-ol, also known as HU-210;
2. 1-Pentyl-3-(1-naphthoyl)indole, also known as JWH-018;
3. 1-Butyl-3-(1-naphthoyl)indole, also known as JWH-073; or
4. Any other equivalent compound or derivative

("Products") have been marketed, sold, and offered for sale to the residents of the Town of Highland, including minors; and

WHEREAS, the citizens of the Town of Highland and various elected and law enforcement officials have noticed an increased use of such products, currently marketed and sold under the name of K2 and Spice; and

WHEREAS, the products containing synthetic cannabinoids have not been tested by the Food and Drug Administration (US Department of Agriculture) or other governmental agencies for human consumption and may contain chemicals detrimental to the health and welfare of those who may ingest them; and

WHEREAS, medical studies and treatises note deleterious health risks and adverse effects associated with synthetic cannabinoids and the products; and

WHEREAS, several states and municipalities throughout the United States have banned the product and synthetic cannabinoids as a danger to public health and welfare; and

WHEREAS, the smoke emanating from the burning or incineration of the products may cause adverse effects on bystanders or those in the vicinity of such activity; and

WHEREAS, the Town Council of the Town Highland believes it to be in the best interest of its citizens to prohibit the sale, marketing, or offering for sale of the products within the Town of Highland so as to protect and preserve the public health, safety and welfare of the citizens of the Town of Highland.

NOW, THEREFORE, BE IT ORDAINED AND ADOPTED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. Prohibited Activity. For purposes of this Section, the following conduct shall be prohibited within the Town of Highland:

A. Products containing synthetic cannabinoids ("Products"), such as K2/Spice, or similar products which contain one of more of the following chemical compounds:

1. (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-2methyloctan-2-yl)-6a, 7, 10,10a-tetrahydrobenzo[c] chromem-1-ol, also known as HU-210;
2. 1-Pentyl-3-(1-naphthoyl)indole, also known as JWH-018;
3. 1-Butyl-3-(1-naphthoyl)indole, also known as JWH-073; or
4. Any other equivalent compound or derivative

shall not be sold, marketed or offered for sale within the Town of Highland, Indiana; and

B. Products containing synthetic cannabinoids ("Products") may not be burned, incinerated or ignited in any public place or on any property owned, leased or controlled by the Town of Highland.

Section 2. Enforcement.

A. Enforcement of this chapter shall be by the Town of Highland Police Department.

B. It shall be the duty of the Highland Town Attorney, to whom the Town of Highland Police Department shall report any violation of the provision of this chapter, to cause proceedings to commence against the person violating the provision of this chapter and to prosecute to final termination.

Section 3. Violations and Penalties.

A. Persons or entities violating the provisions of this ordinance shall be subject to the penalty imposed for a Class B Infraction, as set forth in I.C. 34-28-5-4. Accordingly, this ordinance shall be in force by the provisions of I.C. 34-28-5.

B. Violations of this ordinance within the Town of Highland shall be a Class B Infraction and upon conviction shall be punishable as follows:

Punishable by a judgment of up to \$1,000.00

C. The Highland Town Attorney is authorized to bring a civil action pursuant to I.C. 36-1-6-4 to enjoin any person or business from violating this ordinance.

Section 4. Codification. That it is intended that this Ordinance be included in the Code of Ordinances of the municipality. The Clerk-Treasurer shall be authorized to assign appropriate section numbers in support of the codification of the particular provisions of this Ordinance.

Introduced and Filed on the 18th day of October 2010. Consideration on same day or at same meeting of introduction was undertaken by a vote of 5 in favor and opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 18th day of October, 2010, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL OF THE
TOWN OF HIGHLAND, INDIANA**

MARK A. HERAK, President

ATTEST:

MICHAEL W. GRIFFIN, IAMC/MMC/CPFA
Clerk-Treasurer

10. Proposed Ordinance No. 1480: AN ORDINANCE OF THE TOWN OF HIGHLAND, INDIANA, REGULATING RENTAL DWELLINGS AND DWELLING UNITS. Councilor Zemen introduced and filed Ordinance No. 1480. There was no further action.

11. Action to approve overtime payments for Exempt Salaried Personnel, pursuant to Section 3 of Ordinance No. 1375 the Wage and Salary Ordinance, as amended and Section §4.03.01 of the Compensation and Benefits Ordinance. This waives the provisions of Section § 2.01 of the Compensation and Benefits Ordinance.

15.1 The Metropolitan Police Chief requests favorable action for R. Potesta, who is an exempt salaried employee, and investigations division commander, for five hours at the rate of \$20.00 in the amount of \$100, for work associated with Highland Grove Mall Special Security.

Councilor Kuiper moved that the request of the Chief be granted and the overtime payment be approved. Councilor Novak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The overtime was approved.

Comments from the Town Council Members
(For the Good of the Order)

- **Councilor Bernie Zemen:** • *Park and Recreation Board Liaison • Town Board of Metropolitan Police Commissioners • Lake County Solid Waste Management District Board of Directors • President's designee to Chair the Select Centennial Commission • Chamber of Commerce, Liaison.*

Councilor Zemen expressed his appreciation to Mr. Langel and the Redevelopment Director for their cooperation in working out terms for the license agreement.

Councilor Zemen further commended the Parks and Recreation Superintendent for the progress in moving forward with the Lincoln Center reconstruction.

Councilor Zemen acknowledged the Metropolitan Police Chief, who reported on a accident resulting in a fatality at the intersection of 45th Avenue and Kennedy Avenue.

- **Councilor Dan Vassar:** • *Redevelopment Commission Liaison • Plan Commission member.*

Councilor Vassar also expressed thanks to Mr. Langel for staying in Highland as business person. Councilor Vassar also welcomed Mr. James Stange to the Park and Recreation Board.

- **Councilor Brian Novak:** • *Advisory Board of Zoning Appeals, Liaison • Traffic Safety Commission Member.*

Councilor Novak reported through the Police Chief that the exit near the Target Store at Main Street in which a no left turn prohibition is being sought is advancing.

- **Councilor Konnie Kuiper:** • *Fire Department, Liaison.*

Councilor Kuiper commended the Metropolitan Police Chief and the Fire Department and VIPS for its response and work with the recent accident at 45th and Kennedy Avenue.

- **Councilor Mark Herak:** • *Town Executive • Police Pension Board of Trustees Chair • Budget Committee Chair • Board of Sanitary Commissioners, Liaison • Board of Waterworks Directors, Liaison • Community Events Commission, Liaison.*

Council President Herak recognized the Public Works Director, who then offered a brief summary of matters before the Board of Sanitary Commissioners and the Waterworks Board.

Council President Herak recognized the Redevelopment Director who reported that the site plans were approved for Circle GMC, located at 45th Avenue in the former site of O'Hara's Sports and Tyson Lincoln-Mercury.

Comments from the Public or Visitors

1. Ted Oberc, 2704 Lincoln Street, Highland, complained that apportion of the 45th Avenue resurfacing seemed to him still in need of repair. It was noted that the Public Works Director would follow-up.

2. James Lewis, 8127 4th Place East, Highland, noted that the Town had applied tar and chips to the surface of the alley near his home. He expressed concern about any policy that would prevent solid waste retrieval from the alleys, as is currently the case.

Mr. Lewis further noted that there seems to be no storm drainage outlet begin his home and storm and surface water gathers there.

It was further noted that a letter was transmitted to the residents of 4th Place west and east and a portion of Fifth Street who are proximate to an alley in the location, seeking resident feedback on the matter of whether or not the alley should be closed to trash collection.

3. Larry Kondrat, 8115 4th Place East, Highland, expressed opposition to moving solid waste collections out of the alley. He further reported a continuing and significant problem with raccoons in the area. In some cases, Mr. Kondrat reported, the raccoons get into roofs and create damage. Mr. Kondrat indicated that the raccoons also disturb the solid waste wasting to be collected
4. Susan Flores, 8152 5th Street, Highland, complained that her taxes have tripled in the last three years. She further complained about the offering of flu shots for the municipal workers at the public expense. She further complained about the adequacy of the chip and seal resurfacing of the alley and inquired about paving the alley.
5. James Lewis, 8127 4th Place, Highland, expressed his belief that taxes are sufficient to support the paving of the alley without resort to seeking cost sharing with area residents. Mr. Lewis suggested that cost be passed onto NIPSCO or COMCAST.
6. Lisa Tucker, 8132 4th Place East, Highland, reported that raccoons have also gotten onto her roof. She inquired whether anything could be done by the Town about the raccoon problem.
7. Janet Mika, 8150 5th Street, Highland, noted that she though persons may be feeding these nuisance animals helping to create the problem. She further noted that some were already placing their trash for pick up in the front and not using the alley.
8. Rick Volbrecht, 9221 Parkway Drive, Highland, inquired whether or not user fees on the current trash bill could be modified to repair the alleys.
9. Ted Oberc, 2704 Lincoln Street, Highland, suggested that perhaps moth balls in the trash could serve to deter the raccoons and other critters.

Payment of Accounts Payable Vouchers. Councilor Novak moved to allow the accounts payable vouchers as filed on the pending pay docket, covering the period October 5, 2010 through to October 18, 2010. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers were allowed and the clerk-treasurer was authorized to make payment.

General Fund, \$188,878.00; Motor Vehicle Highway and Street (MVH) Fund, \$6,495.06; Local Road and Street Fund, \$12,636.60; Forfeited & Seized Assets Fund, \$301.47; Law Enforcement Continuing Education, Training and Supply Fund, \$1,016.20; Capital Projects Retainage Fund, \$19,380.74; Flexible Spending Account Agency Fund, \$481.51; Gasoline Payment fund, \$12,782.50; Information and Communications Technology Fund, \$4,499.01; Solid Waste District Grant Fund, \$26.38; Select Centennial Commission Fund, \$72.00; Rainy Day Fund, \$23,570.00; Police Pension Fund, \$58,310.24; Cumulative Capital

Improvement Fund, \$27,484.78; Municipal Cumulative Capital Development Fund, \$3,682.76; Traffic and Law Violations Fund, \$3,996.50; Safe Neighborhood Grant Fund, \$20,327.54; Municipal Cumulative Street Fund, \$300.00; Sexual Predator Grant Fund, \$2,100.00; Corporation Capital Fund, \$21.26; Payroll Fund, \$5.56; Total: \$386,368.41.

Adjournment. Councilor Kuiper moved that the regular meeting be adjourned. Councilor Vassar seconded. Upon a vote *viva voce*, the motion passed. The regular Town Council meeting of **Monday, October 18, 2010** was adjourned at 8:17 O'clock p.m. There was no study session following the plenary session.

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer